

March 22, 2018

Mr. Ford called the Meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m.

Mr. Stothoff was sworn by Atty. Wright.

Members Present: Mr. Mazza, Mr. Neary (7:05 p.m.) Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Kastrud, Mr. Stothoff, Mr. Sullivan, Mr. Fernandez, Mr. Kirkpatrick, Mr. Ford

Members Absent: None

Others Present: Board Atty. Robyn Wright, Board Engineer Robert Clerico, Quick Check Atty. Alan Zakin, Engineers Robert Streker and James Thaon, New Cingular Wireless Atty. Chris Quinn, Engineer Sheri Weber, Atty. Joseph Novak and Brian Plushanski

Open Public Meetings Act Notice: I would like to have placed in the minutes that the Open Public Meeting Requirements of Law have been satisfied by our notices dated February 1, 2018, as published in the Hunterdon County Democrat and January 31, 2018, as published in the Courier News. A copy of the Notice has also been posted on the Township Website, the Bulletin Board in the Municipal Building and a copy has been filed with the Municipal Clerk.

Approval of Minutes: Mr. Kastrud made a motion to approve the minutes of the February 22, 2018 meeting. Mr. Nace seconded the motion.

Vote: Ayes: Mr. Kastrud, Mr. Nace, Mr. Mazza, Mr. Walchuk, Mr. Eschbach, Mr. Fernandez, Mr. Ford, Mr. Kirkpatrick

Abstain: Mr. Stothoff, Mr. Sullivan

Memorialization of Resolution: Republic Services of NJ LLC: Block 22, Lot 30.03, 9 Frontage Road – Use

Variance: Mr. Kirkpatrick made a motion to memorialize the Resolution. Mr. Kastrud seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Kastrud, Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Ford.

Issue of Completeness: Quick Check Corporation: Block 22, Lots 39, 40 & 41, 170 & 172 Perryville Road: Preliminary & Final Major Site Plan, Minor Subdivision, Use & Bulk Variances: Messrs. Mazza and Neary recused themselves prior to this Use Variance application. Atty. Alan Zakin, representing Quick Check in the absence of the Attorney of Record William Mennen, introduced Bohler Engineer Robert Streker and James Thaon. Mr. Streker was sworn by Atty. Wright. He addressed Mr. Clerico's letter dated March 19, 2018. He said applicant has submitted most items requested by Mr. Clerico. Mr. Streker also addressed the following four items: Checklist Items 4, 56 & 57 that pertain to Metes & Bounds and the Title Search. Applicant will provide those documents, with the exception of a proposed easement that is off-site for which a waiver is sought; Checklist Item 44, applicant is seeking a temporary waiver from providing a Plan and Profiles of Proposed Street Improvements along County Route 625;

Checklist Item #45, applicant is seeking a temporary waiver from providing a Plan and Profiles of Proposed Storm Drainage and Utilities, lastly, Item #55, Impact Statement, applicant indicated that submission of that document was “not applicable”, Mr. Kirkpatrick said he would not agree to move forward without an Environmental Impact Statement (E.I.S.). UTEC had compiled a simple E.I.S. document that is easy to use and would be helpful to the Board.

Mr. Ford emphasized that if applicant plans to appear at the April 26, 2018 meeting additional information should be submitted by April 5, 2018.

Mr. Ford asked for a motion to deem the application incomplete. Mr. Kirkpatrick made the motion. The motion was seconded by Mr. Eschbach.

Vote: Ayes: Mr. Kirkpatrick, Mr. Eschbach, Mr. Walchuk, Mr. Nace, Mr. Kastrud, Mr. Stothoff, Mr. Sullivan, Mr. Fernandez, Mr. Ford

New Cingular Wireless (ATT) Block 11, Lot 12, 16 Route 173 West: Site Plan Waiver: Completeness-Public Hearing: Mr. Ford said Messrs. Mazza and Neary could participate in this Hearing. Atty. Chris Quinn, representing Cingular Wireless, gave an overview of the application to modify the existing telecommunications facility at the site. He described the proposed FirstNet service to establish, operate and maintain an interoperable public safety broadband network that will enable police, firefighters and emergency medical service personnel to coordinate and communicate across agencies and jurisdictions when there is a disaster. Atty. Quinn said AT&T proposes swapping twelve antennas on the existing monopole, adding six radio head units, and one DC squid. Replacement and addition of antennas to the monopole and equipment inside the existing shelter are the only physical changes proposed. Atty. Quinn said damaged fencing at the site will be replaced and striping of the pavement will be done as required by conditions of previous Resolutions.

Mr. Ford asked for a motion to deem the application complete. Mr. Kirkpatrick made the motion. It was seconded by Mr. Eschbach.

Vote: All Ayes, No Nays, Motion Carried

Public Hearing: Atty. Quinn explained the provisions in the Land Use Ordinance to justify a Site Plan Waiver. He said the Ordinance states that the project would have no effect on parking, circulation, drainage, buildings, landscaping, buffering or other site plan considerations.

Prior to providing testimony, Engineer Sheri Weber was sworn by Atty. Wright. Her credentials were accepted by the Board. Ms. Weber displayed an Exhibit, Sheet Number C.1.1 AT&T Existing Monopole Site Plan, dated 01/02/2018. It was marked A-1. The next Exhibit, Sheet C-1.2, Existing and New Equipment Plan, dated 01/02.2018. It was marked A-2. The last Exhibit, Sheet C-2, dated 01/02/2018 was marked A-3. Ms. Weber said applicant is seeking to upgrade and replace equipment at the site. The Upgrade will not impact parking, drainage, circulation, lighting or building layout. The Monopole dimensions will not be increased.

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Mr. Ford asked for questions from the Public. There were none. He asked for a motion to approve the Site Plan Waiver with the condition that Site Maintenance Items continue to apply.

Mr. Eschbach made the motion to approve the Site Plan Waiver. Mr. Walchuk seconded the motion.

Vote: Ayes: Mr. Eschbach, Mr. Walchuk, Mr. Mazza, Mr. Neary, Mr. Nace, Mr. Kastrud, Mr. Stothoff, Mr. Kirkpatrick, Mr. Ford

Brian Plushanski Construction LLC: Block 22, Lot 15, 3 Frontage Road: Completeness – Public Hearing:

Messrs. Mazza and Neary recused themselves prior to this Use Variance application. Atty. Joseph Novak, representing Brian Plushanski Construction, gave a brief overview of the application. Mr. Novak presented the following Documents: Exhibit A-1, Notice to Property Owners and Public Utilities; Exhibit A-2, Affidavit of Publication in the Hunterdon County Democrat; Exhibit A-3, Letter from NJDEP Recycling Center General Approval, Issuance Date November 21, 2012; Exhibit A-4, Resolution of Approval, Minor Site Plan and Variance, March 27, 2014; Exhibit A-5, Site Plan for Green Rock Recycling, LLC, prepared by Kurt Hoffman Engineering, 10/3/2017, Revised as per NJDEP 02/12/2018.

Atty. Novak explained that Lot 15 is owned by Brian Plushanski Construction and Lot 15.01 is owned by Green Rock Recycling, LLC: Mr. Novak said the above-referenced NJDEP letter indicates that recycling operations were approved for Lots 15 & 15.01. He mentioned a Review Letter from the Board Planner dated January 23, 2018, and Letters dated December 2017 and January 20, 2018 from the Board Engineer. Mr. Novak said the March 27, 2014 Resolution (Exhibit A-4) addresses the Planner's concern about Variances and Mr. Plushanski's application seeks to reconfirm that Variances were approved in 2014.

Mr. Novak addressed the Quarry License application in conjunction with the Use Variance. He said technically the Board does not approve a Quarry License; that is in the Committees' jurisdiction. The Planning Board reviews and makes a recommendation to the Committee regarding issuance of the License. He said Mr. Plushanski has been operating the Quarry for six years. In his review of the Quarry application, Mr. Clerico noted that there had been an expansion of the recycling operation into the quarrying area. The Committee had granted the 2018 Quarry License for a period of six months at its December 20, 2017 meeting, allowing Mr. Plushanski to apply for a variance for two uses on the site. Atty. Novak referenced the 2014 Resolution that set forth that there was mulch, wood processing, storage bins and quarrying at the site.

Brian Plushanski, co-owner of the property was sworn by Atty. Wright prior to giving testimony. Mr. Plushanski said the on-site recycling facility is under NJDEP Jurisdiction. Mr. Plushanski said Liberty Stone & Aggregates (Clinton Quarry) is an adjoining property. There is a wall between Liberty (Clinton Quarry) and Mr. Plushanski's property which he requested and was granted approval by the Township to remove.

Mr. Plushanski is gradually brining the wall down to the grade of the property lines.

Mr. Plushanski described operations at the Site and the facilitating equipment. He said access to the site is from Frontage Road. He plans to install gates and landscaping at the entrance to the site.

Mr. Plushanski apprised the Board of the status of Green Rock Recycling's application before NJDEP. He received verbal communication that the application has been approved for five years.

Atty. Novak addressed the aspects of a variance. Mr. Novak asked Mr. Plushanski if approval of the variance would further the zoning for the Quarry District as set forth in the Land Use Ordinance. Mr. Plushanski said the proposed improvements would benefit Union Township.

Mr. Clerico reiterated the application before the Board was to address the matter of two principal uses on the site.

Mr. Kastrud asked Mr. Plushanski if there was a way to keep the public away from the operations at the facility. Mr. Plushanski said the public is not allowed access to the recycling processing area.

Mr. Ford asked if any member of the Public had a question or would like to comment. There was no response.

Mr. Ford asked for a motion to deem the application complete and approve the two uses on the site.

Mr. Kirkpatrick made the motion. Mr. Stothoff seconded the motion. Atty. Novak asked the motion include Reconfirmation of the 2014 approval.

Vote: Ayes: Mr. Kirkpatrick, Mr. Stothoff, Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Kastrud, Mr. Sullivan, Mr. Fernandez, Mr. Ford

Comments from the Public/Other Business: None

Motion to Adjourn: Mr. Stothoff made a motion to adjourn. Mr. Eschbach seconded the motion. (8:22 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary

